

STATE OF GEORGIA  
HENRY COUNTY  
CITY OF STOCKBRIDGE

ORDINANCE NO. OR19-488

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to modify the zoning designation of certain property located within the City; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

**Section 1.** The Parcel lying east of 160 Country Club Drive (site of GHCA's corporate office) and west of 101 Eagles Point Parkway known according to the system of numbering tax parcels in Henry County as Parcel ID 051-01028038, more particularly described in Exhibit "A," a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to C-3 (Heavy Commercial District District), such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City

of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Stockbridge Official Zoning Map approved by Mayor and Council, this Ordinance shall govern over the City of Stockbridge Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Stockbridge Official Zoning Map approved by Mayor and Council. Such rezoning shall be conditioned on the following:

1. To the owner's agreement to abide by the following:

- a. To the site plan that was received by the Department of Community Development on June 28, 2019. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event that the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
- b. Submittal of an acceptable shared parking agreement that would meet the parking requirements for the hotel.

2. The use of the subject property shall be for a hotel use only.

3. No weekly or extended stay lodging rentals shall be allowed.

4. Vehicular parking shall be limited to passenger cars/SUVs/pickup trucks, as well as vans and limousines which may provide transportation services to airports.

5. Compliance with any Overlay District requirements and Eagles Landing Master Plan (if located within the Master Plan area) at the time of approval.

6. Restoration of concrete stairs located at the northwest area of the site adjacent to the sidewalk.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to

the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

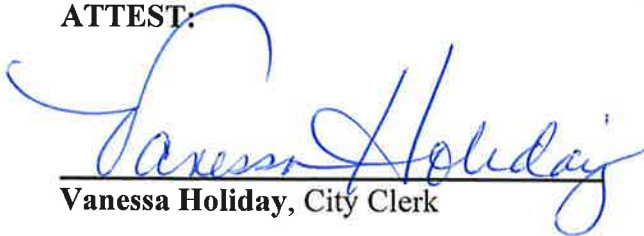
**Section 6.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 14<sup>th</sup> day of October, 2019.

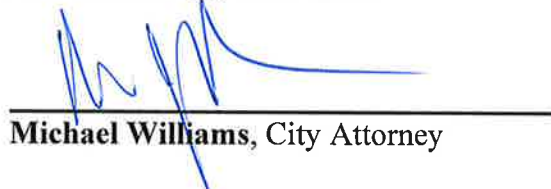
**CITY OF STOCKBRIDGE, GEORGIA**

  
\_\_\_\_\_  
Anthony S. Ford, Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael Williams, City Attorney

Date Presented to Mayor: 10/17/2019

Date Received from Mayor: 10/22/2019

## **EXHIBIT “A”**

[Attach legal description]

## Summary

**Parcel ID** 051-01028038  
**Location Address**  
**Millage Group** 0003 (City/Stockbridge)  
**Property Usage** COMMERCIAL (1000)  
**Total Acres** 1.27  
**Landlot / District** 20 / 6  
**Subdivision**  
**Lot/Block**  
**Plat Book** 27  
**Plat Page** 115

Exemptions:

## Owners

GEORGIA HEALTH CARE ASSOCIATION INC  
 160 COUNTRY CLUB DRIVE  
 STOCKBRIDGE, GA 30281

## Valuation

	2019	2018	2017
+ Building Value	\$0	\$0	\$0
+ OB/Misc	\$0	\$0	\$0
+ Land Value	\$387,200	\$387,200	\$387,200
= Total Assessment	\$387,200	\$387,200	\$387,200

Exemptions:

## Assessment Notices 2019

2019 Assessment Notice

## Land Information

Land Use	Number of Units	Unit Type
COMMERCIAL (001000)	55321.2	SF

## Sales Information

Sale Date	Deed Book/Page	Sale Price	Instrument	Reason	Grantor	Grantee
5/8/2000	3701-251	\$237,500	WARRANTY DEED		WMBC-1 PARTNERSHIP	GEORGIA NURSING HOME ASSOCIATION
3/26/1998	2844-201	\$280,000	WARRANTY DEED	MULTI PARCEL	KILLEARN INC	WMBC-1 PARTNERSHIP

## Map



**LEGAL DESCRIPTION**  
**TRACT NO.3, 1.268 ACRES**  
**TAX PARCEL 051-01028038**

All that Tract or Parcel of land, lying and being located in Land Lot 20 of the 6th District, in the City of Stockbridge, Henry County, Georgia, being known and designated as Tract 3 as shown in Plat Book 27, Page 115, containing 1.268 Acres, more or less, and being more particularly described as follows:

To find the **TRUE POINT OF BEGINNING**, commence from the northwestern most right of way intersection of the northernmost 100 foot right of way of Country Club Drive and the westernmost 50 foot right of way of Eagle's Point Parkway; thence, running along the northernmost 100 foot right of way of Country Club Drive, along a curve turning to the right with an arc length of 205.02 feet, a radius of 817.48 feet, a chord bearing of South 75 degrees 16 minutes 37 seconds West and a chord length of 204.49 feet to a 1/2" rebar found and the **TRUE POINT OF BEGINNING**.

Thence, from said **TRUE POINT OF BEGINNING** and continuing along the northernmost 100 foot right of way of Country Club Drive, South 83 degrees 02 minutes 07 seconds West for a distance of 161.41 feet to a 1/2" rebar found; thence, departing said right of way and running North 25 degrees 29 minutes 59 seconds West for a distance of 282.60 feet to a 1/2" rebar found; thence, North 63 degrees 39 minutes 15 seconds East for a distance of 199.94 feet to a 1/2" rebar found; thence South 17 degrees 34 minutes 35 seconds East for a distance of 340.11 feet to a 1/2" rebar found and the **TRUE POINT OF BEGINNING**.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 1.268 Acres, more or less.